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House Judiciary Committee
Via Hand-Delivery

RE: iCHAT Bills

Dear House Judiciary Committee Members:

I write in SUPPORT of the iCHAT bills currently pending in the Michigan legislature and about which you are receiving testimony this morning.

I received my law degree from Notre Dame Law School in 1991 and have practiced in West Michigan now for over 20 years. My practice is best summed up as representing the voiceless - abused/neglected children, animals and incapacitated individuals. In addition, I taught Animal Law as an Adjunct Professor at Cooley Law School and have spoken/written about animal law-related issues for many years.

I am familiar with iCHAT and its uses/limitations through my work in neglect and abuse matters and in representing hospital systems petitioning courts to appoint guardians (alternative medical decision makers) of incapacitated individuals. Criminal history checks are a significant tool used by courts to determine appropriateness of prospective foster/adoptive families for children as well as nominated guardians for incapacitated individuals.

Earlier this week, at a hearing to appoint the parents as co-guardians of their 18 year old son who sustained a traumatic brain injury in a car accident, we learned through their self-disclosure that they had both been convicted of operating a meth lab in Utah. Michigan's criminal history check through the Department of Human Services (iCHAT), is already limited in that it only captures Michigan crimes. Had these parents not come forward, the court would not have known and been able to make a reasoned decision regarding their appointment.

As it stands now, there are very few checks in place to protect not only animals, but children and incapacitated individuals, from prospective caregivers/guardians - particularly, if crimes were committed in another state or are not reflected on iCHAT.

The passage of these bills will ensure two things: 1) that animal cruelty crimes, irrespective of prospective sentencing mandates, are all documented and available for consideration; and 2) that, within the State of Michigan, organizations who are charged with finding homes for tens of thousands of animals each year have the ability (and requirement) to ferret out (excuse the pun) those prospective adopters who have already demonstrated their inappropriateness as caregivers for these vulnerable and sentient creatures.

Please call me with any questions/concerns. Thank you for your thoughtful consideration of legislation to further protection of the least of these.

Blessings,

Ginny K. Mikita, JD